

REMARKS

Claims 1 to 36 are pending in this application, of which claims 1, 11, 16, 19 and 29 are the independent claims.¹ Favorable reconsideration and further examination are respectfully requested.

Claims 1-15, and 19-33 were rejected over "Microsoft Project 98 Support Course" ("MSP 1998") in view of "Microsoft Project 2002: Training Courseware, Lesson 19: Earned Value" ("Chapter 19") and "Microsoft Project 2002: Training Courseware, Lesson 20: Multiple Projects" ("Chapter 20"). As shown above, Applicants have amended independent claims 1, 11, 19 and 29 to define the subject application with greater particularity. In view of these amendments, withdrawal of the art rejections is respectfully requested.

In particular, independent claim 1 has been amended to recite modifying an operative version in connection with changes to a simulation version; updating a portion of a project baseline that succeeds a time at which the operative version is modified; and obtaining, via the modified operative version, an earned value for a project that corresponds to the updated project baseline. The applied art, namely MSP 1998, Chapter 19 and 20, does not disclose or suggest these features of claim 1.

Referring to the disclosure on page 6-33 of MSP 1998 (reproduced below), the reference describes that the behavior of timephased earned value fields for an inserted project depends on whether the inserted project is open or closed in its parent project.

Earned Value from Inserted Projects

¹ The Examiner is urged to independently confirm this recitation of the pending claims.

When an Inserted Project is opened or closed, updated total earned values fields from the Inserted Project are stored in the parent project.

The behavior of timephased earned value fields for an Inserted Project depends on whether it is open or closed.

- If an Inserted Project is closed in the parent project, then the Inserted Project does not display any timephased earned value data.

When you save a baseline in the parent project, the Inserted Project's total BCWS, and BCWP values are saved too. If there are any assignments on the Inserted Project task in the parent project, the assignment earned value data is saved, but assignment timephased earned value data is not displayed.

If you have not saved a baseline on the parent project, then BCWS, Baseline Cost and BCWP for the Inserted Project task are all 0 and cannot be displayed. Also, SV is zero, and CV = negative of ACWP, since $CV = BCWP - ACWP = 0 - ACWP = - ACWP$. The Inserted Project's ACWP value is saved with the parent project, without having to save a baseline in the parent project. That's because ACWP does not depend on baseline values.

When an Inserted Project is open in the parent project, then it can get and display timephased earned value data. The earned value data coming from the Inserted Project uses the Inserted Project's Status date, not the parent project's status date.

Thus, as we understand it, MSP 1998 does not disclose modifying an operative version in connection with changes to a simulation version, much less updating a portion of a project baseline that succeeds a time at which the operative version is modified; and obtaining, via the modified operative version, an earned value for a project that corresponds to the updated project baseline

Chapter 20 does not cure the foregoing deficiencies of MSP 1998. Chapter 20 introduces cross-project linking terminology at pages 13-14. By definition, cross-project linking enables the user to link tasks in one projects to tasks in another project.² Chapter 20 merely describes finding the predecessor and/or successor tasks of a particular project in order to cross-link tasks that reside in different projects. Nowhere does Chapter 20 describe or suggest modifying an operative version in connection with changes to a simulation version; updating a portion of a project baseline that succeeds a time at which the operative version is modified; and obtaining,

² See page 13 of Chapter 20.

via the modified operative version, an earned value for a project that corresponds to the updated project baseline.

The remaining art of record is not understood to disclose or suggest anything that would remedy the foregoing deficiencies of MSP 1998 and Chapter 20 vis-à-vis claim 1. Accordingly, claim 1 is believed to be allowable.

Claims 11, 19 and 29 recite similar features as claim 1. For at least the foregoing reason, claims 11, 19, and 29 are believed to be patentable over the art.

Independent claim 16 recites storing a baseline for a project, where the baseline comprises work to be performed on the project over a period of time; storing a budget associated with the baseline, where the budget comprises a budget for work to be performed; and revising the budget by setting the budget for the work to be performed to be equal to a budget for work performed.

The Office Action acknowledges that MSP 1998 does not explicitly disclose revising the budget by setting the budget for the work to be performed to be equal to a budget for work performed on page 6. Guidelines was cited to make up for the foregoing deficiencies. In particular, the Office Action cites to 2.4(f), 2.5 (a)-(c) for the proposition that revising budgets based on prior budgets improves the baseline integrity and accuracy of performance measurement data. The cited portions of Guidelines are reproduced below:

f. Develop revised estimates of cost at completion based on performance to date, commitment values for material, and estimates of future conditions. Compare this information with the performance measurement baseline to identify variances at completion important to company management and any applicable customer reporting requirements including statements of funding requirements.

2.5. Revisions and Data Maintenance

a. Incorporate authorized changes in a timely manner, recording the effects of such changes in budgets and schedules. In the directed effort prior to negotiation of a change, base such revisions on the amount estimated and budgeted to the program organizations.

b. Reconcile current budgets to prior budgets in terms of changes to the authorized work and internal replanning in the detail needed by management for effective control.

Guidelines, as shown above, does describe revising estimates of cost at completion based on performance to date. However, claim 16 recites revising the budget by setting the budget for the work to be performed to be equal to a budget for work performed, which is nowhere described or suggested in the excerpts above. The Office Action also argues that it is old and well-known in the project management arts to rebaseline a project to eliminate schedule variance. Applicants contend that, without evidentiary support, this statement is merely unsupported speculation.

Even we agree that the notion of revising estimates of cost at completion to accommodate various factors is generally stated in Guidelines, the reference itself fails to offer concrete solutions as to how to make the revision. In contrast, claim 16 explicitly recites revising the budget by setting the budget for the work to be performed to be equal to a budget for work performed. Guideline does not describe or suggest the foregoing features of claim 16. The remaining art of record is not understood to remedy the foregoing deficiencies. Accordingly, claim 16 is also believed to be allowable.

Claim 34 recites similar features as claim 16. For at least the foregoing reasons, claim 34 is believed to be patentable over the art.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Please apply any other required fees to deposit account 06-1050, referencing the attorney docket number shown above.

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Respectfully submitted,

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